

## Exhibit D

### NBR Master Development Plan Revisions and Errata

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Revise Section 3.2.2 as follows:

#### 3.2.2. Parklands

1. **Public Community Park comprising approximately ~~26.8~~ 21.8 gross/~~24.7~~ 18.0 net acres in SPAs ~~7a~~, 7b, and 7c**, which shall be developed for public active and passive recreation as part of the Project and offered for dedication to the City and Public Community Park comprising approximately 5.0 gross/3.7 net acres in SPA 7a, which shall be developed for public park purposes, privately maintained, and made permanently available for public use through deed restriction and/or recorded easement.

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Change Section 3.5.2 as follows:

#### 3.5.2 Public Community Park Development Plans

As part of the Project, a ~~26.8~~ 21.8 gross-/~~24.7~~ 18.0 net-acre Community Park (North Community Park and Central Community Park) will be developed and offered for dedication to the City of Newport Beach. The development plan for the Community Park (SPAs ~~7a~~, 7b, and 7c) is a Project Development Plan providing a sufficient level of design detail for Coastal Commission approval of a Coastal Permit for this park. The Public Community Park site to be offered for dedication to the City is comprised of the ~~three~~ two subareas as described below:

- **The North Community Park Project Development Plan, illustrated in Exhibit 3-6a**, contains 15.9 gross/13.5 net acres and will be improved as an active park to include lighted turf sports fields, lighted hard courts, picnic facilities, age-specific playground, restrooms, off-street public parking, and may include synthetic turf.

- **The Central Community Park Project Development Plan, illustrated in Exhibit 3-6b**, contains 5.9 gross/4.5 net acres and will be improved as a passive recreational area, including picnic areas, informal open play turf areas, and off-street public parking. The Development Plan for the Central Community Park includes a trail connection through the park to the intersection of 15<sup>th</sup> Street/Bluff Road to provide pedestrian access through the park from the boundary of the Newport Crest residential community. The trail connection will be constructed subject to the approval by the Newport Crest Homeowners Associate of the provision of a gate at the boundary of Newport Crest at the terminus of Ticonderoga to provide secure pedestrian movement to and from Newport Crest.

Exhibit 3-6b, Central Community Park Development Plan – Replace with new park plan exhibit included as Attachment 1.

As part of the Project, a 5.0 gross/ 3.7 net acre Community Park (South Community Park) will be developed, privately maintained, and made permanently available for public use. The development plan for the Community Park (SPA 7a) is a Project Development Plan providing a sufficient level of design detail for Coastal Commission approval of a Coastal Permit for this park. The South Community Park is described below.

- **The South Community Park Project Development Plan, illustrated in Exhibit 3-6c**, contains 5.0 gross/3.7 net acres and will be improved as a passive natural recreation area to complement the City's Sunset Ridge Park site to the east and will include park access, native habitat, and interpretive opportunities.

Section 3.5

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Revise Section 10.6.2 as follows:

#### **10.6.2 Activities Requiring Subsequent Site Development Review Approval**

Following approval by the City of the NBR-MDP the following development activities are permitted within the Project Site subject to recordation of Final Map No. 17308 and any subsequent subdivision map(s), approval by the City of Site Development Review pursuant to NBR-PC Section 4.5, "Site Development Review," any additional local required permits, and any permits from State (including Coastal Commission), and Federal agencies with permitting jurisdiction over the activity:

1. Construction of residential, commercial, and visitor serving resort uses in all Villages and Colonies;
2. Construction of Bluff Parks and Interpretive Parks; and
3. Construction of South Community Park

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Add new Section 10.6.3 as follows:

#### 10.6.3 Activities Requiring Community Park Improvement Plan

Following approval by the City of the NBR-MDP the following development activities are permitted within the Project Site subject to recordation of Final Map No. 17308 and any subsequent subdivision map(s), approval by the City of a Community Park Improvement Plan, pursuant to NBR-PC Section 4.4.6.1 “ Activities Subject to Community Park Improvement Plan Approval,” any additional local required permits, and any permits from State (including Coastal Commission), and Federal agencies with permitting jurisdiction over the activity:

1. Construction of the public Community Park (North and Central Community Park).

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Revise Section 10.7.3 as follows:

### **10.7.3 Authorization for City to Issue Construction-Level Permits as part of MCDP**

The MCDP shall authorize the City to be the final review authority for any subsequent planning development permits and construction level permits, as required by the NBR-PC, for implementation of those activities described in Section 10.6 of the NBR-MDP and within the areas illustrated on Exhibit 10-1, without additional Coastal Development Permits, provided the subsequent permits are consistent with the NBR-MDP Project Development Plans. Subsequent required planning development permits and construction level permits shall include, but are not limited to, Site Development Review, Community Park Improvement Plan Approval, Use Permits, Final Tract Maps, final grading permits, model home permits, building permits, and other required permits.

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Add new Section 10.12, “Community Park Improvement Plan,” as follows:

### 10.12 Community Park Improvement Plan

Approval by the Director of Recreation and Senior Services of a Community Park Improvement Plan, in accordance with the provisions of NBR-PC Section 4.6, “Community Park Improvement Plan,” shall be required prior to construction of the public Community Park.

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Renumber Section 10.12 and revise text as follows:

### **~~10.12 Minor Modifications~~**

### **10.13 Substantial Conformance**

The following ~~are considered minor modifications to~~ constitute substantial conformance with the NBR-MDP including Exhibit 1-4, “Site Planning Areas Map,” Exhibit 3-1, “Master Development Plan,” and Exhibit 3-2, “Master Development Table.”

#### Land Use Acreage Refinements

A change in the Site Planning boundary lines as illustrated on Exhibit 1-4 “Site Planning Areas Map,” and corresponding change in the Gross Acres for the respective Site Planning

Area as described on Exhibit 1-5, "Site Planning Areas Table," of up to fifteen percent (15%) ~~are as approved~~ permitted as part ~~the approval~~ of either a Site Development Review, or subdivision map application submitted for the Site Planning Area, provided the refinement(s) to Gross Acres does not result in:

- ~~1. A reduction in the total area allocated to the Lowland Open Space/Public Trails and Facilities District to less than 115 gross acres;~~
- ~~2. A reduction in the total area allocated to the Upland Open Space/Public Trails and Facilities District to less than 85 gross acres;~~
- ~~3. A reduction in the total area allocated to the Public Parks/Recreation District to less than 28 gross acres;~~
1. A reduction in the total acreage allocated to Open Space;
2. A reduction in the total area allocated to the Parklands;
3. The total area within the Project Site boundaries exceeding 401.1 gross acres;
4. Less than two roadway access points from North Bluff Road into the North Family Village; and/or
5. Less than two roadway access points into both the South and North Family Village.

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Renumber and Revise Section 10.12.2 as follows:

#### ~~10.12.2~~ **10.14** Transfer of Residential Dwelling Units

A change in the number of residential dwelling units for any Site Planning Area as described on Exhibit 1-5, "Site Planning Areas Table," resulting from a transfer of residential dwelling units from one Site Planning Area to another, and as approved pursuant to the provisions of NBR-PC Section 4.18, "Transfer of Residential Dwelling Units," is permitted as part of the approval of a Site Development Review provided:....

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Renumber and Revise Section 10.12.14 as follows:

#### ~~10.12.14~~ **Additional Minor Modifications**

#### 10.15 Modifications to Approved Project Development Plans

The following constitute ~~additional allowable minor~~ modifications to the NBR-MDP Project Development Plans which may be approved as part of Site Development Review or subdivision review, and not requiring an amendment to the NBR MDP:

1. Change in utility or public service provider as described in NBR-MDP Chapter 8, "Master Roadway and Infrastructure Plans;"

2. Change in roadway alignment of any roadway illustrated on the “Master Roadway Plan” of the NBR-MDP when the change results in a centerline shift of 150 feet or less;
3. Change to roadway sections as described in NBR-MDP Chapter 8, "Master Roadway and Infrastructure Plans as approved by the Director of Public Works;
4. Refinements to the Architectural Design Guidelines pursuant to Section 10.10;
5. Refinements to the mix, distribution, and design of architectural products ~~with as a part of subsequent Site Development Review and construction drawings~~ provided that:
  - a. The character and style of the architecture remains consistent with the intent of the Project’s architectural style;
  - b. The nominal lot size dimensions and nominal building square footages do not exceed 20% of the original architecture proposed within the Site Planning Area; and
  - c. All applicable development regulations and standards set forth in the NBR-PC are complied with.

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Delete the following text:

#### ~~10.12.4 Applications for Minor Modifications~~

~~1. Applications for minor modifications to the NBR-MDP shall include the following information:~~

- ~~a. Text revisions to the NBR-MDP submitted to the City in a “track changes” format to note the insertion(s) and/or deletion(s) of text for each changed page;~~
- ~~b. Revised applicable NBR-MDP exhibit(s) reflecting the proposed change(s) and in the case of land use acreage refinements or transfer of residential dwelling unit, a revised Site Planning Areas Table;~~
- ~~c. A summary of: (1) the number of dwelling units, commercial square footage, and overnight accommodations previously approved on all Tentative and all recorded Final Tract Maps; and (2) the number of dwelling units, commercial square footage, and overnight accommodations under construction or completed/occupied at the time of the proposed minor modification;~~
- ~~d. Identification of the ownership of the Site Planning Area(s) to be affected by the minor modification;~~
- ~~e. Analysis of consistency with the NBR-PC; and~~
- ~~f. Any additional background and/or supporting information which the Director deems necessary.~~

#### ~~10.12.5~~ **Review of Applications for Minor Modifications**

~~Applications for minor modifications shall be reviewed in conjunction with a development application for a Site Development Review and/or a subdivision map approval. The review authority for a minor modification to the NBR-MDP shall be the same review authority as established in the NBR-PC with authority to approve or conditionally approve the development application being considered in conjunction with a request for a minor modification.~~

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Renumber and revise Section 10.13 as follows:

#### ~~40.13-~~ 10.16 Amendments to the NBR-MDP

All proposed changes to the NBR-MDP other than those identified in Section ~~10.12~~, “~~Minor Modifications~~,” 10.14 Transfer of Residential Dwelling Units and Section 10.15 “Modifications to Approved Project Development Plans.” shall be considered amendments to the NBR-MDP and shall be reviewed in accordance with the provisions of NBR-PC Section 4.4 “Master Development Plan.” When any CDP(s) or MCDP is approved by the Coastal Commission that varies from the approval granted by the City for the NBR-MDP or any approved amendment, the applicant shall submit a request for determination of substantial conformance to the Director or Community Development. The Director of Community Development has the authority to refer any request for substantial conformance to the City Council for consideration and final action on the request.

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Renumber and revise Section 10.14 as follows:

#### ~~40.14-~~ 10.17 Amendments to the Master CDP

Amendments to the MCDP are considered to be those changes considered as amendments to the NBR-MDP pursuant to NBR-MDP Section ~~40.13~~ 10.16. Following City approval of any amendment to the NBR-MDP a corresponding application for an amendment to the MCDP shall be submitted for approval to the California Coastal Commission.

Exhibit 10-1, Master Entitlements and Subsequent Approvals Map

Add the following text to the notations:

Land Use Development per City-approved Master Development Plan and CCC-approved Master Coastal Development Permit. Additional Site Development Review, and/or Community Park Improvement Plan Approval, by City is required, but additional Coastal Development Permit is not required, prior to Land use Development and construction permits.